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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,367	12/01/2003	Carl Pinsky	9029-7 MIS:jb	8090
24223	7590	05/06/2008	EXAMINER	
SIM & MCBURNEY			LEDYNH, BOT L	
330 UNIVERSITY AVENUE			ART UNIT	PAPER NUMBER
6TH FLOOR				2862
TORONTO, ON M5G 1R7				
CANADA				
MAIL DATE	DELIVERY MODE			
05/06/2008	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10724367	12/1/03	PINSKY ET AL.	9029-7 MIS:jb
EXAMINER			
Bot LeDynh			
ART UNIT	PAPER		
2862	20080502		

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See the attached Notice of Non-Responsive Amendment.

/Bot LeDynh/
Bot LeDynh
Primary Examiner
Art Unit: 2862

Notice of Non-Responsive Amendment

1. The reply filed on 01/31/08 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant did not respond to the 102(e) rejection as clearly anticipated by Smith (5818231) in the Office Action dated 8/6/07. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Bot LeDynch whose telephone number is 5712722231. The Examiner normally does not work on Fridays. The examiner can normally be reached on Maxiflex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK J. ASSOUAD can be reached on (571)272-2210. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BL/ 2008

/Bot LeDynch/
Bot LeDynch, J.D., D.A., Ph.D.
Primary Examiner

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